

GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T

SUITS – Land Acquisition – SRSP – Karimnagar District – Thimmapur (Mandal) – Kothapalli (Village) – O.P.No.321/03 - Sanction of decretal charges of **Rs.2,21,30,007/-** - Orders – Issued.

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IRRIGATION & CAD (PW.LA.III.A1) DEPARTMENT

G.O.RT.NO. 27

DATE:08.01.2010

Read:

- 1) From the Special Collector, LA, SRSP, SSP & JCRGLIP, Hyderabad  
Lr.No.E1/2112/2009, dt:10.11.09.
- 2) From the Secy.to CCLA, AP, Hyd.Lr.No.SRP2/1076/09, dt:4.12.09.

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ORDER:

The Special Chief Secretary & Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.NO.321/03 pertaining to Kothapalli (V) Thimmapur (M) of Karimnagar District. The then LAO, LA Unit, Karimnagar has acquired the lands to an extent of Acs.116.03 gts for submergence under LMD Reservoir in the limits of Kothapalli (V) Thimmapur (M) of Karimnagar District vide Award No.2/92-93, dt:01.08.1992 by fixing the market value @Rs.5,100/- per acre for Dry lands and @Rs.16,000/- per acre for WSC. Thereafter in a reference made U/s.18 of L.A.Act the Court of II-Additional District Judge, Karimnagar vide judgment and decree dt:16.06.2004 has enhanced the compensation from Rs.5,000/- to Rs.12,500/- per acre for dry lands and from Rs.16,000/- to Rs.40,000/- per acre for wet lands. As the enhancement was more than 50%, the SDC has filed an appeal and the same was numbered as LAAS MP No.14599/2004 in A.S.No.3851/2004. The Hon'ble High Court in its orders dt:09.11.2004 has passed interim orders to deposit the Half of the decretal amount within (12) weeks from the date of order. Accordingly, an amount of Rs.43,58,288/- was deposited in the Civil Court on 31.03.2006. Finally, the Hon'ble H.C of AP, Hyd, while dismissing the appeal in A.S.No.3851/2004, dt:01.04.2009 an allowing the cross objections in SR No.2981/2009 doth order and decree that the claimants are hereby entitled to Rs.60,000/- per acre for dry and wet lands.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.2,21,30,007/- (Rupees Two crores twenty one lakhs thirty thousand and seven only)** in respect of O.P.No.321/03 pertaining to Kothapalli (V) Thimmapur (Mandal) of Karimnagar District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Govt/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, LA, SRSP, SSP & JCRGLIP, Hyderabad may be directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of the O.P.No.321/03 for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) above, shall be debitable to the following Head of Account under "2701 – Capital Out Lay – M&MI-01 – Major Irrigation – 116. SRSP Stage-I, Scheme included in Plan, G.H (11) Normal State Plan – S.H (26) – Dams and Appurtenant works – 530 - Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.4876/F4(2)/2009-1, dated:22.12.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA  
SECRETARY TO GOVERNMENT

To  
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.  
The Special Collector, LA, SSP, JCRGLIP, Tarnaka, Hyderabad.  
The Special Deputy Collector, LA Unit-I, LMD Colony, Karimnagar.  
The Administrative-cum-Chief Engineer, SRSP, M.J.Road, Hyderabad.  
The Director of Works Accounts, SRSP, Hyderabad.  
Copy to: P.S. to Minister (M& MI).  
Finance (W&P) Department/File C.No.30132/LA.III(A1)/2008.  
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER